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ACTION ARA-14

INFO OCT-01 ISO-00 DHA-02 MCT-01 IO-13 CIAE-00 DODE-00
NSAE-00 NSCE-00 SSO-00 USIE-00 INRE-00 PM-04 H-01
INR-07 L-03 NSC-05 PA-01 PRS-01 SP-02 SS-15
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FOR THE SECRETARY, ARA-AMB. TODMAN

FROM USDEL OASGA

USOAS DEL 59

E.O. 11652: GDS
TAGS: PORC, OAS, SHUM
SUBJ: HUMAN RIGHTS AT OASGA

1. SUMMARY: SEVENTH OAS GENERAL ASSEMBLY WAS BATTLEGROUND FOR CARTER ADMINISTRATION'S HUMAN RIGHTS POLICY IN THIS HEMISPHERE. FACT THAT PRESENT OF ASSEMBLY'S ENERGIES AND ALMOST ALL ITS TIME SPENT ON THIS SENSITIVE ISSUE, USUALLY SCRUPULOUSLY AVOIDED OR TREATED WITH KID GLOVES IN THE OAS, WAS TRIUMPH FOR OUR INSISTENCE THAT INTER-AMERICAN SYSTEM MUST FOCUS ON DEFENSE OF HUMAN RIGHTS IF BILATERAL BREAKDOWN IS TO BE AVOIDED. BATTLELINES WERE DRAWN HERE EARLY. US, VENEZUELA, COSTA RICA, PANAMA PLUS THREE ENGLISH-SPEAKING CARIBBEAN STATES FORMED CORE OF DEMOCRATIC GROUP THAT REFUSED TO COMPROMISE ON FRANK LANGUAGE DENOUNCING OFFENSES AND CALLING FOR FULL SUPPORT

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OF THE INTER-AMERICAN HUMAN RIGHTS COMMISSION. BRAZIL, ARGENTINA, CHILE, PARAGUAY, GUATEMALA, EL SALVADOR LINED UP IN OPPOSITE CAMP, WITH URUGUAY FAR OUT IN FRONT AS DEMOGOGIC SPOKESMAN AND HARSH CRITIC OF US "POLITICIZATION" OF IAHRC. COLOMBIAN FONMIN LIEVANO, IN FACT A DEFENDER OF HUMAN RIGHTS, LEFT A TIMEBOMB BEHIND IN FORM OF HIS CONFUSED RESOLUTION, LUMPING LOME-CONVENTION ECONOMICS WITH CRITICISM (BARELY VEILED) OF US AND (VERY CLEAR) OF IAHRC.

2. DEMOCRATIC GROUP LABORED UNDER BURDEN OF LIEVANO RESOLUTION OVER LAST TEN DAYS, ATTEMPTING TO SUBSTITUTE ITS OWN RESOLUTION CONTAINING STRONG LANGUAGE IN SUPPORT OF HUMAN RIGHTS AND IAHRC WHILE DEFEATING ARGENTINA'S DRAFT THAT ADDED TERRORISM TO HUMAN RIGHTS BRIEF AND CALLED FOR "REFORM" OF IAHRC TO MEET CHALLENGE OF TERRORISM. US, VENEZUELA, COSTA RICA, ET. AL. REFUSED TO COMPROMISE ON PRINCIPLE BY MELDING LANGUAGE OF SOUTHERN CONE RESOLUTION WITH OURS, PREFERRING DEFEAT OF JOINT RESOLUTION TO MEANINGLESS COMPROMISE. MEXICO BLURRED ISSUE SOMEWHAT BY AMENDING COLOMBIA'S RESOLUTION IN WAYS THAT MADE IT ALL BUT IRRESISTIBLE TO THIRD WORLD LATIN/CARIBBEAN STATES, WHICH THEN VOTED FOR LIEVANO DRAFT OVERWHELMINGLY. ARGENTINA'S RESOLUTION WAS SOUNDLY DEFEATED, AS WAS CHILE'S ATTEMPT TO ADD TERRORISM/REFORM IAHRC TO JOINT RESOLUTION.

Declassified Case: 17N- 57067 Date: 06-04-2013

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IN THE END, BY RELATIVELY TIGHT VOTE, ONE MORE THAN MAJORITY NEEDED, RESOLUTION OF DEMOCRATIC BLOC PASSED, WITH KEY ADDITIONAL SUPPORT FROM PERU, ECUADOR AND HAITI. END SUMMARY.

2. ANALYSIS AND COMMENT: THE ISSUE OF HUMAN RIGHTS DOMINATED THIS ASSEMBLY FROM THE OPENING SPEECH TO THE LAST REBUTTAL. THE ONLY OTHER POLITICAL DEBATE OF ANY

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IMPORTANCE - BELIZE - WAS INTRODUCED INTO THE DELIBERATIONS AS ANOTHER HUMAN RIGHTS ISSUE.

3. OUR RESOLUTION CARRIED BY FOURTEEN VOTES, NONE AGAINST AND EIGHT ABSTENTIONS. THIS WAS AN IMPORTANT VICTORY BUT MORE SIGNIFICANTLY, WE PUT TOGETHER A RESOLUTION THAT CONTAINED NO CONCESSIONS TO THOSE GOVERNMENTS WHICH OFFEND AGAINST HUMAN RIGHTS. OUR RESOLUTION INSISTED ON COOPERATION WITH THE INTER-AMERICAN HUMAN RIGHTS COMMISSION (IAHRC), REQUIRED PROTECTION FOR PERSONS WHO COMPLAIN ABOUT ABUSES AND TESTIFY AGAINST THEIR GOVERNMENTS (A DIRECT CRITICISM OF CHILE) AND TOOK A STEP TOWARDS OUR OBJECTIVE OF FREE VISITS BY IAHRC IN THAT IT REQUIRED THE COMMISSION TO ORGANIZE CONSULTATIONS WITH GOVERNMENTS AND "APPROPRIATE INSTITUTIONS AND RESPONSIBLE ORGANIZATIONS". (AN IMPORTANT POINT AS IT IMPLIES DIRECT CONTACT IN COUNTRY WITH GROUPS NOT CONNECTED TO THE GOVERNMENT).

4. IT WOULD HAVE BEEN THE EASIEST OF TASKS TO ACHIEVE A UNANIMOUS RESOLUTION. WE HAD ONLY TO ACCEPT COMPROMISE LANGUAGE TAKEN FROM THE ARGENTINE AND COLOMBIAN RESOLUTIONS A) ADDRESSING HUMAN RIGHTS IN CONTEXT OF TERRORISM AND, B) ACCEPTING THESIS THAT IAHRC NEEDS RESTRUCTURING TO BECOME FULLY EFFECTIVE.

5. FOLLOWING THE SECRETARY'S LEAD, WE REJECTED THIS COURSE AND INSISTED THAT THE STATE'S DEFENSE AND WELL-BEING MUST NOT BE ACHIEVED BY SUPPRESSION OF DISSENT OR OFFICIALLY SANCTIONED VIOLENCE AND THAT NOT TO SUPPORT THE IAHRC IS A "GRAVE BREACH OF INTER-AMERICAN COOPERATION AND CAN ONLY INTRIDUCE RANCOR INTO OUR BILATERAL RELATIONS".

6. THE US WORKED IN CONCERT WITH VENEZUELA AND JAMAICA TO DRAW CLEAR AND SHARP BATTLE LINES. WE AGREED THAT WE WOULD MAKE NO CONCESSIONS ON MATTERS OF PRINCIPLE AND WOULD PREFER TO REMAIN A MINORITY RATHER THAN COMPROMISE

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ON OUR ORIGINAL POSITIONS.

7. AS A RESULT OF EXTENSIVE CORRIDOR CONSULTATIONS, WE PUT TOGETHER A HARD CORE OF SUPPORT FROM SEVEN OTHER DELEGATIONS, MEXICO, COSTA RICA, PERU, THE DOMINICAN REPUBLIC, TRINIDAD, BARBADOS AND SURINAM, MAKING A TOTAL OF ELEVEN. WITH TIMELY AND EFFECTIVE APPROACHES BY OUR AMBASSADORS, WE WERE ABLE TO ADD ECUADOR, PANAMA AND HAITI TO OUR LIST. EMBASSY LA PAZ ALSO MADE AN EFFECTIVE DEMARCHE BUT THE BOLIVIAN AMBASSADOR DEPARTED BEFORE THE FINAL VOTE.

8. WE SUCCEEDED HERE IN OBTAINING U COMMITMENT FROM HONDURAS BUT WHEN THE VOTE WAS TAKEN HE WAS ABSENT. JAMAICA PUT PRESSURE ON GRENADA AND THAT GAVE US THE EXTRA SAFETY MARGIN WE REQUIRED.

9. OUR TASK WAS COMPLICATED BY THE ROLE COLOMBIA

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COUNTRIES AND MORE DEMOCRATIC STATES TO THE NORTH.

19. THE CAPABLE ARGENTINE DELEGATION WAS FRUSTRATED IN ITS MAIN OBJECTIVES: TO PORTRAY ARGENTINA AS A BE-LEAGUERED COUNTRY AND THEMSELVES AS REASONABLE MEN. THE ARGENTINE SPOKESMAN, MINISTER ARLIA, WAS SO OBNOXIOUS--CONDESCENDING, VAGUE, UNPLEASANT--THAT THE ARGENTINE DELEGATION SPOKE OPENLY TO US ABOUT THE "PRIMITIVE" REPRESENTING THEM.

20. TO WIND UP WITH THE MOST IMPORTANT COUNTRY, BRIZIL ARRIVED AT THIS CONFERENCE WITH A DELEGATION OF THIRTY-TWO OFFICERS, INCLUDING THE FOREIGN MINISTER, SILVEIRA, AND TWO OF HIS DEPUTIES. (VENEZUELA AND MEXICO HAD FIFTEEN OFFICERS EACH WHILE THE US AND ARGENTINA HAD DELEGATIONS OF THIRTEEN). THE BRAZILIANS SPOKE LITTLE BUT PUT HEAVY AND CONSTANT PRESSURE ON OTHER DELEGATIONS TO OPPOSE THE US AND TO SUPPORT BOTH THE ARGENTINE AND COLOMBIAN RESOLUTIONS. WE SUSPECT THAT BRAZIL PLAYED A ROLE BEFORE AS WELL AS DURING THE CONFERENCE IN MANEUVERING COLOMBIA INTO A POSITION WHERE NEITHER ITS FOREIGN MINISTER NOR ITS OAS AMBASSADOR NATURALLY BELONGED.

21. AS DIPLOMATS, THE BRAZILIAN DELEGATES WERE FIRST CLASS, SKILLED AND DISCREET, ALWAYS FRIENDLY TOWARDS US IN PUBLIC AND PRIVATE EXCHANGES BUT SEVERAL DELEGATIONS (BOLIVIA, PARAGUAY AND THE DOMINICAN REPUBLIC) TOLD US IN CONFIDENCE ABOUT THE PRESSURES BRAZIL WAS APPLYING. FOR EXAMPLE FONMIN SILVEIRA FLEW HERE IN A BRAZILIAN AIR FORCE PLANE AND PICKED UP THE ENTIRE PARAGUAY DELEGATION

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IN ASUNCION. HE SPENT BETTER PART OF THE TRIP TO GRENADA PERSUADING THE PARAGUAYAN FONMIN NOT TO ACCEPT A VISIT FROM THE IAHRG.

22. IN REVIEWING THIS MESSAGE, WE FIND A GLARING OMISSION: THE VITAL CONTRIBUTION OF THE DELEGATION OF THE DOMINICAN REPUBLIC. THANKS IN NO SMALL PART TO THE COOPERATION OF OUR EMBASSY IN SANTO DOMINGO, WE HAD A SOLID ALLY WHO STOOD WITH US ALL THE WAY, EVEN TO THE EXTENT OF REFUSING TO SUPPORT THE "IRRESISTIBLE" COLOMBIAN RESOLUTION. ANOTHER HAPPY RESULT OF THIS OASGA IS THAT THE DOMINICAN REPUBLIC'S POSITION HAS CRYSTALLIZED AND FOREIGN MINISTER JIMENEZ, WHO STAYED THROUGH MUCH OF THE CONFERENCE, WAS OBVIOUSLY COMFORTABLE REPRESENTING A COUNTRY THAT FOUND ITS OWN WAY OUT OF A LONG ERA OF TROUBLES AND IS TAKING THE CONSTITUTIONAL PATH WITHOUT RECOURSE TO GOVERNMENTAL BRUTALITY.

23 WE ARE PLEASED WITH OUR DELEGATION'S ROLE BUT WE ARE EVEN MORE PLEASED THAT A LATIN AMERICAN NATION, VENEZUELA, TOOK ON HUMAN RIGHTS AT THIS OASGA. ABLY ASSISTED BY COSTA RICA'S AMBASSADOR SILVA, FONMIN ESCOVAR AND OAS AMBASSADOR MACHIN SPOKE WITH ELOQUENCE AND CONVICTION OF VENEZUELA'S UNSWERING COMMITMENT TO DEMOCRATIC PRINCIPLES. VENEZUELA OFFENDED SOME BY NAMING NAMES, AS WE DID NOT. BUT THIS WELL-CONSIDERED OFFENSIVE BY VENEZUELA WILL EVENTUALLY HAVE A GOOD EFFECT. SEVERAL DELEGATIONS HAVE ADVISED THEIR GOVERNMENTS TO CLEAN UP THEIR ACT OR FALL UNDER VENEZUELA'S LASH IN THE FUTURE.

24. WE CLOSE WITH THE OBSERVATION THAT THE PRESIDENT'S RECENT SPEECH TO THE OAS, HIS SIGNING OF THE SAN JOSE PACT, MRS. CARTER'S TRIP TO LATING AMERICAN AND SECRETARY

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VANCE'S MEETINGS WITH SIXTEEN FOREIGN MINISTERS AT THE OASGA HAVE ALL WORKED TOGETHER TO FORGE NEW BONDS AND ESTABLISH A NEW RELATIONSHIP WITH LATIN AMERICA.

25. FINALLY, WE CAN WORK SUCCESSFULLY THROUGH THE OAS ONLY IF WE ARE WILLING TO EXPEND THE TIME, ENERGY, ATTENTION AND POLITICAL CAPITAL THAT HAVE BEEN DEVOTED TO THIS ENDEAVOR. THE RESULTS MAY NOT BE DRAMATIC, IN TERMS OF US POLITICAL HEADLINES, BUT IT WAS WELL COVERED IN LATIN AMERICA AND EVERY FOREIGN MINISTER HERE WENT AWAY WITH THE CONVICTION THAT THE US CARES DEEPLY ABOUT ITS RELATIONS WITH THIS HEMISPHERE AND THAT PROGRESS ON HUMAN RIGHTS IN THE FUNDAMENTAL BASIS OF INTER-AMERICAN COOPERATION.
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DOC_NBR	1977GRENAD00081
FILM	D770224-0345

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